

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

| | | |
|------------------------------|---|--------------------------------|
| WILLIAM D. DIXON, #234960, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | CIVIL ACT. NO. 2:22-cv-179-ECM |
| |) | (WO) |
| ALABAMA BOARD OF PARDONS |) | |
| AND PAROLES, <i>et al.</i> , |) | |
| |) | |
| Defendants. |) | |

MEMORANDUM OPINION and ORDER

On May 11, 2022, the Magistrate Judge entered a Recommendation (doc. 4) to which no timely objections have been filed. Upon an independent review of the file and upon consideration of the Recommendation, it is

ORDERED as follows:

1. The Recommendation of the Magistrate Judge is ADOPTED.
2. The Plaintiff's claims against Defendant Alabama Board of Pardons and Paroles are DISMISSED with prejudice pursuant to 28 U.S.C. § 1915(e)(2)(B)(i) and (iii) as this Defendant is absolutely immune from suit.
3. The Plaintiff's due process claims challenging the fundamental legality of his incarceration as a parole violator are DISMISSED without prejudice under 28 U.S.C. § 1915(e)(2)(B)(ii) as such claims currently provide no basis for relief.
4. The Plaintiff's pendent state law claims are DISMISSED without prejudice as the Court declines to exercise supplemental jurisdiction over the claims.

5. This case is DISMISSED prior to service of process pursuant to 28 U.S.C. § 1915(e)(2)(B)(i-iii).

A separate Final Judgment will be entered.

DONE this 14th day of June, 2022.

/s/ Emily C. Marks
EMILY C. MARKS
CHIEF UNITED STATES DISTRICT JUDGE